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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/885,513	06/20/2001	Zine-Eddine Boutaghou	S01.12-0672	5622

7590 01/13/2004

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EXAMINER
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MILLER, BRIAN E

ART UNIT	PAPER NUMBER
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2652

DATE MAILED: 01/13/2004

14

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/885,513

Applicant(s)

BOUTAGHOU ET AL.

Examiner

Brian E. Miller

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 6,7 and 18-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 8-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-20 are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 12. 6) ☐ Other:

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Claims 1-20 are pending.

***Election/Restrictions***

1. Applicant's election without traverse of Group I, i.e., FIGs. 5-6, in Paper No. 13 is acknowledged.
2. Claims 6-7, 18-20 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 13. It is noted, with regard to claims 7 & 20, that these claims appear to be directed to another non-elected species, e.g., III, FIGs. 10-13, since the elected species do not depict "a plurality of slider integrated pads on the first and second leading edge portions" as recited in claims 7 & 20, and thus are withdrawn from consideration.

***Drawings***

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "at least one recessed bearing surface", as recited in claim 10, must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 4-5, 8-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Kobayashi et al. Kobayashi et al (US 6,424,495). Kobayashi et al discloses a slider, as shown in FIGs. 2 & 6, including: (as per claims 1 & 9) a slider body 21 including a leading edge, a trailing edge and opposed sides, with the trailing edge including opposed first and second trailing edge portions (as shown in the figures); a bearing surface 30, 31 formed on the slider body; a slider integrated pad 35 on the first trailing edge portion elevated above the bearing surface and dynamically imbalanced (SLIP) relative to the second trailing edge portion to form a predicted tipped position (as shown in FIG. 2 and due to the placement of integrated pad 34) at the second trailing edge portion and the second trailing edge portion including a bearing surface interface at the predicted tipped position (in the vicinity of head 26); (as per claim 4) wherein the bearing surfaces include opposed first and second side rails and the imbalanced integrated pad is formed on the first side rail and the bearing surface interface is formed on the second side rail; (as per claim 5) wherein the leading edge includes opposed first and second leading edge portions which include slider integrated pads 33, 33 dynamically balanced relative to each other; (as per claim 8) wherein the slider body includes inner and outer side portions relative to the leading and trailing edges and the first trailing edge portion is on the inner side portion of the slider body and the second

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trailing edge portion is on the outer side portion of the slider body with the predicted tipped position on the outer side portion of the slider body, as shown in the figures.

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

***Claim Rejections - 35 USC § 103***

6. Claims 2-3, 10-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi et al. For a description of Kobayashi et al, see the rejection, supra. Kobayashi et al further discloses (refer to FIGs. 6-7) the use of a laser to provide a textured surface on the bearing surface (see also col. 3, lines 40-42). Taking this and the knowledge of a skilled artisan into consideration, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have provided such a textured surface to the aforementioned interface. The motivation would have been: providing texturing would have further relieved the slider/disc interface from stiction, as taught by Kobayashi et al and known in the art.

With respect to the recited "raised center pad" (re claim 10), Official Notice is taken that having a raised rear center pad on a slider was notoriously old and well known at the time the invention was made and would have been obvious to have provided such on the slider of Kobayashi et al. The motivation would have been: having a center rear bearing surface with a transducer reduces overall pitch and roll movement of the transducer thus providing a more stable head signal, which advantages are within the knowledge of a skilled artisan.

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It is noted that the other recited limitations of claims 10-17 are described in the 102 rejection, supra.

***Response to Amendment***

7. Applicant's arguments filed 4/21/03 with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian E. Miller whose telephone number is (703) 308-2850. The examiner can normally be reached on M-TH 7:15am-4:45pm (and every other friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa T. Nguyen can be reached on (703) 305-9687. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.



**Brian E. Miller  
Primary Examiner  
Art Unit 2652**

Bem  
January 7, 2004